

## PART 240—CRITERIA AND PROCEDURES FOR PROVIDING ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES

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### APPENDIX A TO PART 240—SAMPLE LETTER OF APPLICATION FOR FINANCIAL ASSISTANCE

AUTHORITY: Department of Defense Appropriations Act, 1991, Title II (Pub. L. 101-511, 104 Stat. 1860); 10 U.S.C. 113(d).

SOURCE: 56 FR 28821, June 25, 1991, unless otherwise noted.

#### § 240.1 Purpose.

This part establishes policy, assigns responsibilities, and prescribes procedures under Title II of Pub. L. 101-511 for the Department of Defense to provide financial assistance to the LEAs that are heavily impacted by the military presence.

#### § 240.2 Applicability and scope.

This part applies to:

(a) The Office of the Secretary of Defense (OSD).

(b) The schools operated by the LEAs providing free public education to dependent children of Armed Forces members or DoD civilian personnel who reside on Federal property.

#### § 240.3 Definitions.

(a) *Applicant*. Any LEA whose ADA military section 3(a) and section 3(b) students equals at least 35 percent of its total ADA and that submits a letter of application to the Department of Defense; files an application for financial assistance; has received, or shall receive funds under section 3 of the Impact Aid Program; and submits documents and forms required by § 240.4(c)(5) (i) through (iii) of this part.

(b) *Current expenditures*. Expenditures for free public education, including expenditures for administration, instruction, attendance and health services, public transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student

body activities, but not including expenditures for community services, capital outlay, debt service, or any expenditures made from funds under Public Law No. 89-10, title I. See the amended definition of "current expenditures" in Public Law No. 100-297 (1988).

(c) *DoD Contribution*. The amount of financial assistance an applicant shall receive under Public Law No. 101-511, title II.

(d) *Federal property*. Real property that because of Federal law, agreement, or policy is exempt from taxation by a State or political subdivision of a State and that the United States owns in fee simple or leases from another party.

(e) *Local Education Agency (LEA)*. A public organization (usually a school district) that has the authority to operate public schools within the limits of the applicable State law.

(f) *Military personnel*. A person who is an Armed Forces member serving on active duty.

(g) *Military 3(a) student*. A child who attends the school(s) of a LEA that provides free public education and who, while attending such school(s) of the LEA, resides on Federal property and has a parent who is on active duty in the Armed Forces (as defined in section 101 of 10 U.S.C.).

(h) *Military 3(b) student*. A child who attends the schools of a LEA that provides a free public education and who, while attending such school(s), has a parent who is on active duty in the Armed Forces (as defined in 10 U.S.C. 101) but does not reside on Federal property.

(i) *Parent*. The lawful father or mother of a person.

(j) *Per-Pupil Expenditure (PPE)*. The average current expenditure for an individual student.

#### § 240.4 Policy.

It is DoD policy that:

(a) During fiscal year (FY) 1991, the Department of Defense shall obligate 10 million dollars to assist the LEAs that meet criteria in paragraph (c) of this section. Of this 10 million dollars:

(1) Eight hundred and eighty-six thousand dollars shall be provided to the Killen, Texas, Independent School District.